INTERNATIONAL SEABED AUTHORITY

Council

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Kingston, 16-27 March 1998

STATEMENT OF THE PRESIDENT ON THE WORK OF THE COUNCIL DURING THE FIRST PART OF THE FOURTH SESSION

1. The first part of the fourth session of the Assembly of the International Seabed Authority was held at Kingston, Jamaica, from 16 to 27 March 1998. Among the matters to be considered by the Council during this part of the session were the agenda, election of the President and the Vice-Presidents, consideration of applications for extension of provisional membership of the Authority and consideration of the draft Mining Code.

Adoption of the agenda

2. At its 25th meeting, on 16 March 1998, the Council adopted the agenda for the fourth session (ISBA/4/C/2). It was noted that consideration of items concerning the budget of the Authority and the draft financial regulations would take place at the August meeting of the Council after consideration of those matters by the Finance Committee. It was also noted that the staff regulations of the Authority were not yet ready for consideration by the Council.

Election of the President and Vice-Presidents of the Council

3. At the 25th meeting, Mr. Joachim Koch (Germany) was elected President of the Council for 1998. Subsequently, following consultations in the regional groups, the representatives of Argentina (Latin American and Caribbean Group), Cameroon (African Group), Indonesia (Asian Group) and the Russian Federation (Eastern European Group) were elected as Vice-Presidents.

Applications for the extension of provisional membership of the Authority

4. At the 25th meeting, the Council recalled that, by its decisions of 29 August 1996 (ISBA/C/9) and of 20 March 1997 (ISBA/3/C/3), the membership of the Authority, on a provisional basis, of a number of States, including Canada and Ukraine, had been extended for a period of one year from 16 November 1996 on the basis of requests made by those States. The Council considered applications

for the further extension of provisional membership beyond 16 November 1997 received from Canada and Ukraine and decided to extend the membership of the Authority, on a provisional basis, of Canada and Ukraine for a period of one year from 16 November 1997 (ISBA/4/C/3).

Report of the Legal and Technical Commission

5. The Legal and Technical Commission met during the first week of the session and continued work on the provisional text of the draft Mining Code prepared by the Commission during the third session (ISBA/3/LTC/WP.1/Rev.3). Following its deliberations, the Chairman of the Commission, Mr. Jean-Pierre Lenoble (France), reported to the Council at its 26th meeting, on 23 March 1998, on the work of the Commission. The Council was informed that the Commission had reviewed the provisional text of the draft Mining Code, taking into account comments submitted by members of the Authority since the last session. The final text proposed for adoption by the Council (ISBA/4/C/4) dealt only with prospecting and exploration for polymetallic nodules. The Code consisted of regulations governing applications for and approval of plans of work for exploration together with a standard form of contract and standard clauses of contract.

6. The Council was informed that, at its previous meeting, the Commission had examined and approved the training programme proposed by the Republic of Korea to fulfil its obligations as a registered pioneer investor (ISBA/3/LTC/2). At the current meeting it had requested the Secretary-General to invite members of the Authority to nominate candidates for training. The nominations would be considered by the Commission at its next meeting with a view to selecting candidates to commence training in 1999.

7. The Council was also informed that the Commission considered it important for the Authority to begin to elaborate procedures and guidelines for the protection of the marine environment as soon as possible. The Commission had recommended to the Secretariat, as a priority activity within its substantive work programme, the organization of two workshops: the first covering the available knowledge on the environment, the second on the technologies envisaged for the exploration and exploitation and for the protection of the environment. Such workshops would help to elaborate the guidelines that are necessary for the conduct of activities in the Area and should also address the question of mineral resources other than polymetallic nodules.

8. The Council noted that the Commission had not yet completed work on its rules of procedure. It was noted that the matter of the rules of procedure would be taken up by the Commission at its next meeting as a matter of urgency.

Consideration of the draft Mining Code

9. The Council began its consideration of the draft Mining Code at its 26th meeting, on 23 March 1998. Members of the Council were given the opportunity to make general statements on the text proposed by the Legal and Technical Commission (ISBA/4/C/4). At the 26th meeting, statements were made by the representatives of Indonesia, the United States of America, Cameroon, the Russian Federation and Nigeria. At the 27th meeting, statements were made by the representatives of China, Tunisia, Germany, France, Jamaica, Chile,

Paraguay, Senegal and Brazil. The observers from the Netherlands and Peru also made statements at the invitation of the Council. At the 28th meeting, statements were made by the representatives of South Africa and India. At the 29th meeting, statements were made by the representatives of Australia, Chile, Italy and, at the invitation of the Council, by the observer from the International Ocean Institute. At the 30th meeting, statements were made by the representatives of Brazil, the United Kingdom of Great Britain and Northern Ireland and the Sudan.

10. On 25 and 26 March 1998, the Council met in informal session and started to conduct an examination of the text proposed by the Legal and Technical Commission section by section. It was not possible to complete the review of the text in the time available and it was agreed to continue consideration of the text at the resumed fourth session. It was also agreed that at the next session delegations would revisit the regulations already considered.

Agreement between the International Seabed Authority and the Government of Jamaica regarding the Headquarters of the International Seabed Authority

11. The Council was informed that the Government of Jamaica had made a formal proposal with regard to the location of the permanent headquarters of the Authority. It was noted that the details of the proposal required further clarification and would be taken up by the Finance Committee during the resumed fourth session. The Council therefore deferred further consideration of the draft Headquarters Agreement to the August session.

Agreement concerning the Relationship between the International Seabed Authority and the International Tribunal for the Law of the Sea

12. The Council was informed that a draft Relationship Agreement had been prepared and submitted to the Tribunal for consideration. However, as the Tribunal had not had sufficient time to study the draft, the matter was not ready to be taken up by the Council during the current session. Accordingly, the item was deferred to the resumed fourth session.

Financial regulations of the Authority

13. The Council was informed that the Finance Committee had almost completed its work on the draft financial regulations and that they would be submitted to the Council for its consideration during the resumed fourth session. The Council was further informed that the Finance Committee had not yet completed its work on the draft staff regulations.

Next meeting of the Council

14. The next meeting of the Council will take place at Kingston from 17 to 28 August 1998.